

**MINUTES OF THE BENTON HARBOR CITY COMMISSION
LULA LEE COMMISSION CHAMBERS
DECEMBER 5, 2022**

The regular meeting of the Benton Harbor City Commission was called to order by Mayor Muhammad at 7:01p.m. Roll call showed the following members present: Commissioners Adams, Clark-Griffin, Edwards, Henderson, Henry, Isom, Singleton, Mayor Muhammad. Members Absent: Mayor Pro Tem Seats. Also present: City Manager Mitchell, Public Safety Deputy Director Clark, Community and Economic Director/Assistant City Manager Little, Finance Director Williams, and Clerk Moore

APPROVAL OF MINUTES

A motion was made by Commissioner Adams and supported by Commissioner Edwards to approve the Regular Minutes of November 21, 2022. Motion carried on the following roll call vote: YEAS: Commissioners Singleton, Adams, Clark-Griffin, Edwards, Henderson, Henry, Isom, Mayor Muhammad. NAYS: None. Members Abstain: None. Members Absent: Mayor Pro Tem Seats.

APPROVAL OF ACCOUNTS PAYABLE

A motion was made by Commissioner Adams and supported by Commissioner Isom to approve the Accounts Payable Listing.

During discussion, Commissioner Adams was looking at the payment for the pickup of debris and wondered if that was too hard for our trash department to take care of. She will look up her other question before the next meeting. YEAS: Commissioners Adams, Clark-Griffin, Edwards, Henderson, Isom, Singleton, Mayor Muhammad. NAYS: Commissioners Henry. Members Abstain: None. Members Absent: Mayor Pro Tem Seats.

PRESENTATION – LEAD SERVICE PROJECT COST AND UPCOMING PROJECT FUNDING SUMMARIES

Jason Marquardt with Abonmarche provided a presentation that included a summary of the entire service fund of the lead line replacement project. He also provided a PA 53 funds summary and stated that the fund must be obligated and under contract by December 31, 2024 and all work must be completed by December 31, 2026. He presented a proposed water treatment plant improvement project summary, proposed distribution system improvement summary, and additional support services that include water infrastructure consulting which includes alternatives analysis assistance and TMF report assistance, infrastructure inspections include high service suction well, reservoir, and intake inspections at the water plant, and future corrosion control studies/projects recommended by EGLE. He provided upcoming funding opportunities, which include; the intent to apply for state revolving funds, such as: the clean water state revolving fund for storm and sanitary sewer, where a \$19,990,000 request was submitted with a request for principal forgiveness on all funds; and the drinking water state revolving fund for water infrastructure, where \$19,430,000 was requested including principal forgiveness on all funds.

Commissioner Adams stated the state brought in large funds after emergency management, she asked if there was a % being held in regards to employing residents. Marquardt stated he can gather all that information and provide a presentation at a later date, there were 12-18 new residents hired during the

peak times. Adams asked if the loans are able to be refinance for lower interest rates. Marquardt said the state has been asked to consider refinancing existing loans.

Commissioner Henderson asked if the \$6 million left will be reallocated. Marquardt stated it needs to be reallocated for other water improvements, he clarified it will be less than \$6 million after the contractors have been closed out.

Commissioner Edwards asked if the unfunded PA projects have to serve the residents as far as water improvements, would that include water fountains, such as in Parks. Marquardt stated that might be a stretch, it would require distribution improvements, cosmetic fixes may not apply. But the state has some flexibility, if a water main is being replaced, they are allowing some sanitary and storm sewer to be replaced on the same street.

Commissioner Isom asked if the \$4 million coming back to the city is strictly for water. Marquardt replied yes, whatever is not spent on the lead service line replacement can be put towards other water improvements, and believes the timeframe is the same, contracted by end of 2024 and spent by end of 2026.

Commissioner Singleton asked if by 2026 the water system and plant would be in good shape. Marquardt stated it would meet all of EGLE deficiencies. Singleton asked if until the SRF might be forgiven, would it show up as a debt. Marquardt replied yes.

Commissioner Henry asked when and how it will be presented regarding the employment of residents. Marquardt stated he will gather the information to present and thinks that can be improved on for the next round of projects. Henry also asked about the grass seed that was replaced and if there could be report on that, residents are still complaining. Marquardt stated that he can gather and summarize that as well. Henry asked about the area in the 3rd and part of the 1st ward with sewer back ups, she asks that those residents get put into a plan. Marquardt stated he agrees those problems need to be addressed and has asked the staff to evaluate those hot spots.

Manager Mitchell stated there are maintenance programs being built in and being used in the city that works to make sure all improvements are captured.

Commissioner Adams stated a lot of funding is coming down for training.

Mayor Muhammad stated it is remarkable to come in under budget and be able to reallocate money for other water improvements and positions the city to receive more funding to address issued that have been heard. The job analysis summary is very important, especially moving forward to maximize employment for residents.

PRESENTATION – RENOVATION OF HALL PARK

Craig Borum, Architect with University of Michigan, in partnership with other groups on the Prioritization and Revitalization of Ox Creek and Hall Park, presented a Draft Concept Plan for Hall Park.

Mayor Muhammad asked that this item be added to Public Safety & Parks Committee for more information and vetting. He stated this is the only park that has never received any funding and has the largest acreage.

Commissioner Henry reminded everyone that the city's largest population is children, and she didn't see much in the plan for children, she would like that reevaluated for the residents under 18 that have nothing to do and would like to see the outcome of the outreach with the residents.

Commission Clark-Griffin asked for clarification on when the playground and baseball diamond will be coming, and would like those to take preference. Borum stated those are in the plans after the first round of funding.

Commissioner Adams stated that thinking long term would like to see something like a ski slope, rest areas, and games, and an attendant and is hopeful, this is a start.

Commissioner Edwards stated this is the best news he's heard since 2014.

Director Little reminded that there is a \$3 million plan for Hall Park, a lot of funding comes with a time table and when other grants become available those items will be fit into the plan.

Commissioner Singleton stated the concept is music to his ears.

Mayor Muhammad stated this first \$1 million grant is just a drop in the bucket and is a step for the overall plan.

CITIZENS COMMENTS

Yvonne Isom stated that her and her husband, Commissioner Isom were sitting in their home on a nice day with the door open and notice a vehicle driving at high speeds on Hastings, then a man exhibiting psychotic behavior appeared at the door with a brick in his hand and was clearly disturbed, 911 was called to dispatch a public safety officer. About 30 minutes later another concerned neighbor showed up and they were also waiting on public safety to arrive. She would like to renew the ongoing concerns of mental illness in the community and a more immediate response from public safety to protect the citizens of the community.

Spencer Nesbitt stated he can see some improvement in the city, but his main concern is how the Commissioners handle themselves. The arguing gets you nowhere. He hears other citizens say they aren't coming to the meetings to hear everyone argue. We need a tax base to come into the city, need professionals who know how to handle themselves and asked that the Commissioners please look at themselves and see how they are acting. A public meeting with citizens needs to work together.

Diane Howard read a letter requesting an immediate extension of the comment period for the City of Benton Harbor City Wide Water Analysis Report and requested a Public Hearing to ensure the residents fully understand the report and have an opportunity to have their voices heard, that the city's provided comment period did not provide enough time for residents to understand the report and provide comments. She's requesting additional information related to the public water system, existing debt and corresponding cost calculations. She is recommending Alternative 1A because it ensures the city maintains power of the system and keeping the system in the community and does not rely on contracting employees, and the system could likely qualify as a disadvantaged community for grants. And the residents should not be paying water bills at this time.

Brandon William read a letter requesting an immediate extension of comment period by at least 30 days and hold a public hearing of the city's water system to give public the opportunity to share their opinion, ask questions and make their voices heard, both orally and written, which should become part of the record. He supports Alternative 1A because it ensures the city maintains power of the system and keeps the system in the community and does not rely on contracting employees and make the city eligible for grants. All residents should not be paying water bills at this time.

Patrick Patterson stated he works for the city and loves his job, he looks forward to making the city a better place but is not happy with what he sees. Need to work collectively. The AFSME Union is the same union that Martin Luther King went to to unionize sanitation workers that were unequally paid than their counter parts. There is a team of guys who goes to work everyday, they may not be happy but they move forward and count their blessings.

Miguel Clark stated he is glad to see Hall park moving forward and that he's been coming to the meetings since he was 18 years old and from then until now he feels this is the best Commission he's seen.

CONSENT CALENDAR

A motion was made by Commissioner Singleton and supported by Commissioner Edwards to APPROVE THE CONSENT CALENDAR. Motion carried on the following roll call vote: YAYS: Commissioners Clark-Griffin, Edwards, Henderson, Henry, Isom, Singleton, Adams, Mayor Muhammad. NAYS: None. Members Abstain: None. Members Absent: Mayor Pro Tem Seats.

Consent Calendar Items Include:

APPROVAL OF ADULT-USE (RECREATIONAL) MARIJUANA LICENSE FOR TRC-BH LLC (THE RELEAF CENTER)

APPROVAL OF COMMITMENT FOR SALE OF ANNUAL PARKING PERMITS FOR TENANTS OF DOWNTOWN BUILDING FOR EXTENDED PERIOD

APPROVAL OF INSTALLATION OF WI-FI SERVICE IN VARIOUS LOCATIONS IN THE CITY OF BENTON HARBOR TO INCREASE INTERNET SERVICE TO CITY RESIDENTS

AUTHORIZATION FOR SPARK GRANT PROGRAM SUBMISSION FOR HALL PARK

COMMUNICATIONS

Deputy Director Clark – no report

Assessor Story encouraged property owners to look over their tax bill and call with any questions. The December Board of Review will meet Thursday, December 15 from 7pm-8pm and any errors can be looked at and fixed.

Director Little – stated that distribution of PPE to residents has begun, 3 masks, 2 gloves and hand sanitizer is available at the payment window in city hall. Residents simply have to sign and list their address to receive those. He thanked Marcy and Craig for their presentation and stated there is a group of dedicated people helping in these projects.

Finance Director Williams thanked Marcy, Joelle, and Jason for all their hard work and clarified that SRF debt would capitalize as an asset.

Manager Mitchell thanked Craig, Marcy and Jason for their wonderful presentations.

COMMISSION COMMENTS

Commissioner Clark-Griffin stated what is perceived as arguments is not always arguments, it is restoring order to have a voice. She mentioned she is doing senior care packages and toys for kids for the holiday in the 4th Ward.

Commissioner Henry thanked everyone for coming and listening and to have a good holiday.

Commissioner Edwards thanked everyone for coming.

Commissioner Henderson thanked everyone for coming and stated the city is on the move.

Commissioner Adams stated that not everybody is going to like everybody, it's not about individuals, its about taking care of business. She hopes the city will continue to grow.

Commissioner Isom thanked everyone who presented tonight and for the updates on Hall Park and the water system. He stated Public Works is key to it all, and we need to amp up public works and pay people to take care of their family and come to work happy, we need to train more people to work for the city. We have new equipment to maintain and need qualified people to do that. He thanked his wife for coming in and speaking about the situation that occurred at their home.

Commissioner Singleton stated there was good information and news in the presentations. He was speaking with Deputy Director Clark about dispatch and sometimes those calls don't get from central dispatch. He stated that Public Works is just as important and Public Safety.

Mayor Muhammad stated that he is glad to hear from residents; good, bad and indifferent and sometimes it only takes one comment. He said it take a community, partnership, and collaboration. He thanked Clerk Moore for a successful election, it was the largest turnout for absentee voting the city has seen. He stated the biggest room is room for improvement, voting power is good, but unity is better, individuals can only do so much.

CLOSED SESSION – LABOR UNION DISCUSSION

A motion was made by Commissioner Singleton and supported by Commissioner Henderson to RECESS INTO CLOSED SESSION FOR LABOR UNION DISCUSSION.

Motion carried on the following roll call vote: YAYS: Commissioners Edwards, Henderson, Henry, Isom, Singleton, Adams, Clark-Griff, Mayor Muhammad. NAYS: None. Abstain: None. Absent: Mayor Pro Tem Seats

Regular Meeting recessed into Closed Session at 8:47pm

Regular Meeting reconvened from Closed Session at 9:19pm

There were no action items as a result of the Closed Session

MOTION TO ADJOURN

A motion made by Commissioner Singleton and supported by Commissioner Clark-Griffin to adjourn the meeting was carried on the following roll call vote: YAYS: Commissioners Clark-griffin, Edwards, Henderson, Henry, Isom, Singleton, Mayor Muhammad. NAYS: None. Absent: Commissioner Adams, Mayor Pro Tem Seats

The regular meeting was adjourned by Mayor Muhammad at 9:20pm.

Tiffany Moore, City Clerk

Marcus Muhammad, Mayor